

REMARKS

In the response dated September 29, 2004 to the first request for reconsideration, the Examiner takes, for the first time, the position that “electrically isolated” means “not shorted.” The position taken by the Examiner is erroneous.

Enclosed herewith is an Affidavit submitted under 37 CFR 1.132. This Affidavit is being submitted at this time since the position being taken by the Examiner, namely that “electrically isolated” means “not shorted to” was taken by the Examiner, for the first time, in the paper dated September 29, 2004.

Also submitted herewith is a copy of the definition for the word “isolated” as found at www.dictionary.com. The definition set forth therein did not comport with the Examiner’s assertions. Moreover, the Affiant of the Affidavit submitted herewith also totally disagrees with the position being taken by the Examiner.

The Examiner has submitted nothing to support his bold assertion that “electrically isolated” means “not shorted.” It is noted that the Rules of Practice allow for the Applicant to require the Examiner to put such assertions into Affidavit form. Please see 37 CFR 1.104(d)(2). This section requires that when the Examiner uses facts within the personal knowledge of the Examiner, the Examiner must, when called upon by the Applicant, support his assertions by Affidavit. Moreover, whatever data that the Examiner wishes to present based upon facts within his own knowledge must be “as specific as possible.” The Applicant hereby requests that the Examiner strictly comply with the Rules of Practice, particularly 37 CFR 1.104(d)(2) and supply the Affidavit required by the Rules of Practice if the Examiner continues to make assertions that are not based upon a factual record.

Reconsideration is respectfully requested.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

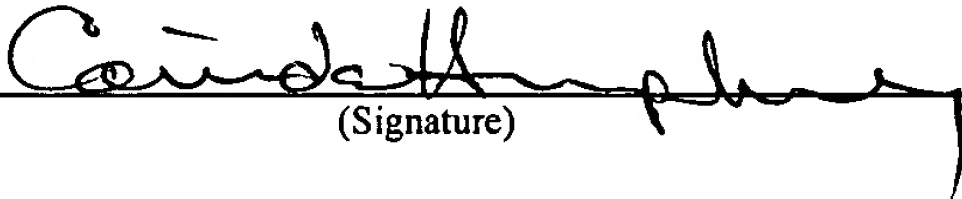
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November 15, 2004

(Date of Transmission)

Corinda Humphrey

(Name of Person Transmitting)



(Signature)

November 15, 2004

(Date)

Respectfully submitted,



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i·so·lat·ed   **Pronunciation Key** (ī'sə-lā'tīd)
adj.

Separated from others; solitary or singular: *Reporters in the field observed isolated instances of rebellion.*

[From French *isolé*, from Italian *isolato*, from Latin *īnsulā* tus, *made into an island*, from *īnsula*, *island*.]

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i·so·late   **Pronunciation Key** (ī'sə-lā'tī)
tr.v. i·so·lat·ed, i·so·lat·ing, i·so·lates

1. To set apart or cut off from others.
2. To place in quarantine.
3. *Chemistry*. To separate (a substance) in pure form from a combined mixture.
4. To render free of external influence; insulate.

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5. *Microbiology*. To separate (a pure strain) from a mixed bacterial or fungal culture.
6. *Psychology*. To separate (experiences or memories) from the emotions relating to them.
7. *Electricity*.
 - a. To set apart (a component, circuit, or system) from a source of electricity.
 - b. To insulate or shield.

adj. (-lĩt, -lā́t')

Solitary; alone.

n. (-lĩt, -lā́t')

1. A person, thing, or group that has been isolated, as by geographic, ecologic, or social barriers.
2. *Biology*. A population of bacteria or other cells that has been isolated.
3. *Linguistics*. A language isolate.

[Back-formation from **isolated**.]

i'so·la'tor *n.*

Synonyms: *isolate, insulate, seclude, segregate, sequester*

These verbs mean to separate from others: *a mountain that isolated the village from larger towns; insulated herself from the chaos surrounding her; a celebrity who was secluded from public scrutiny; segregated the infectious patients in a special ward; sequestering a jury during its deliberations.*

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isolated

Isolate \I"so*late\ (?; 277), v. t. [imp. & p. p. Isolated; p. pr. & vb. n. Isolating.] [It. isolato, p. p. of isolare to isolate, fr. isola

island, L. insula. See 2d Isle, and cf. Insulate.] 1. To place in a detached situation; to place by itself or alone; to insulate; to separate from others.

Short isolated sentences were the mode in which ancient wisdom delighted to convey its precepts. --Bp. Warburton.

2. (Elec.) To insulate. See Insulate.

3. (Chem.) To separate from all foreign substances; to make pure; to obtain in a free state.

Source: *Webster's Revised Unabridged Dictionary*, © 1996, 1998 MICRA, Inc.

isolated

\I"so*la`ted\, a. Placed or standing alone; detached; separated from others.

Isolated point of a curve. (Geom.) See Acnode.

Source: *Webster's Revised Unabridged Dictionary*, © 1996, 1998 MICRA, Inc.

isolated

adj 1: not close together in time; "isolated instances of rebellion"; "scattered fire"; "a stray bullet grazed his thigh" [syn: scattered, stray] 2: being or feeling set or kept apart from others; "she felt detached from the group"; "could not remain the isolated figure he had been"- Sherwood Anderson; "thought of herself as alone and separated from the others"; "had a set-apart feeling" [syn: detached, separated, set-apart] 3: marked by separation of or from usually contiguous elements; "little isolated worlds, as abruptly disjunct and unexpected as a palm-shaded well in the Sahara"- Scientific Monthly [syn: disjunct] 4: cut off or left behind; "an isolated pawn"; "several stranded fish in a tide pool"; "travelers marooned by the blizzard" [syn: marooned, stranded] 5: under forced isolation especially for health reasons; "a quarantined animal"; "isolated patients" [syn: quarantined] 6: remote and separate physically or socially; "existed over the centuries as a world apart"; "preserved because they inhabited a place apart"- W.H.Hudson; "tiny isolated villages remote from centers of civilization"; "an obscure village" [syn: apart(p), obscure]

isolated

compact

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Denis Howe

isolated

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Source: *On-line Medical Dictionary*, © 1997-98 Academic
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